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# Convention on the Elimination of All Forms of Discrimination against Women

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**Committee on the Elimination of Discrimination against Women**
**Sixty-sixth session**

**Summary record of the 1474th meeting**
Held at the Palais des Nations, Geneva, on Wednesday, 15 February 2017, at 10 a.m.

*Chair*: Ms. Leinarte

## Contents

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

*Combined sixth and seventh periodic reports of Ireland*

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*The meeting was called to order at 10 a.m.*

**Consideration of reports submitted by States parties under article 18 of the Convention** (*continued*)

*Combined sixth and seventh periodic reports of Ireland* (CEDAW/C/IRL/6-7 and CEDAW/C/IRL/QPR/6-7)

1. *At the invitation of the Chair, the delegation of Ireland took places at the Committee table.*

2. **Ms. O'Brien** (Ireland), introducing the combined sixth and seventh periodic reports of Ireland (CEDAW/C/IRL/6-7), said that her Government was committed to the promotion and protection of human rights, as shown by its significant contribution to the work of the United Nations Human Rights Council, in particular to highlight the importance of a safe and enabling environment for civil society actors and to underscore the role of women's and girls' education and empowerment in addressing the root causes of child morbidity and mortality. The second National Action Plan on Women, Peace and Security focused on women's empowerment and participation in conflict resolution and peacebuilding. Ireland had a strong and vibrant civil society, which had participated actively in the preparations for the current discussion with the Committee.

3. **Ms. Baxter** (Ireland) said that in promoting the country's recovery from the recent economic and financial crisis, the Government was giving priority to job creation. There had been a strong improvement in employment opportunities for women, which were the gateway to financial independence, well-being and the realization of their potential. Funding from the European Social Fund would be made available for initiatives to help women join the labour market and for projects to promote women's entrepreneurship. A package of measures had been approved in the State budget for 2017 to provide support for single parents, including increased funding for childcare. Cuts to the Farm Assist scheme had been reversed, thus ensuring financial support for some 8,000 low-income rural families.

4. The Electoral (Amendment) (Political Funding) Act 2012, under which political parties could not receive State funding unless at least 30 per cent of the candidates they put forward for national elections were women, and the National Women's Strategy 2007-2016 had given impetus to efforts to increase women's participation in national politics. A committee had been set up to draft the new National Women's Strategy 2017-2020, and a public consultation had been launched to inform that process.

5. A national inclusion strategy for persons with disabilities was being prepared and legislative measures were being taken to advance the ratification of the Convention on the Rights of Persons with Disabilities. A national inclusion strategy for Travellers and Roma was also being developed, and the question of recognizing Travellers as a distinct ethnic group was being addressed in that context. The Gender Recognition Act 2015 provided for the legal recognition of transgender persons according to their gender identity.

6. New legislation criminalizing the purchase of sexual services had been enacted with a view to eliminating the demand that drove the exploitation of women and girls. The new law would protect victims of sexual violence during criminal proceedings and included a clear definition of consent to a sexual act, as well as a list of circumstances indicating that consent had not been given freely or voluntarily. A domestic violence bill introducing a new emergency barring order had been published. The order could be obtained for up to eight working days to enable the victim to seek safety. The bill would also criminalize forced marriage and repeal the exemption in place with regard to underage marriage.

7. Termination of pregnancy had been under discussion in Ireland for more than 35 years and remained a topic of intense debate. Article 40 (3) (3) of the Constitution, which had been added as the result of a referendum in 1983 and guaranteed the right to life of the unborn, could only be amended by a further referendum. The Government had established a Citizens' Assembly, comprising 99 Irish citizens selected at random, to consider constitutional reform, including the possible amendment of article 40 (3) (3). Its report was expected in April 2017.

8. With regard to legacy issues, an interdepartmental committee set up to establish the facts of the State's involvement with the Magdalen Laundries had concluded that the State had no liability in the matter. A State apology had nonetheless been issued and more than €25 million had been paid in compensation to 669 women. Although decisions had been taken on all the applications made to the compensation scheme to date, it would remain open to new applications. The commission set up in February 2015 to investigate Mother and Baby Homes was to report on its findings, which would be made public, within a three-year period. Three independent investigations had been conducted into the practice of symphysiotomy, and an ex-gratia payment scheme had been established, which had granted fair redress to 399 women. Studies indicated that symphysiotomy was not prohibited internationally; it had a place in obstetrics in certain limited circumstances. Ongoing medical services were provided to women who had undergone the procedure.

9. Education was recognized as having a transformative effect on women's lives. Girls accounted for 50 per cent of students at the secondary and tertiary levels; some 95 per cent of girls between 15 and 19 years old were in full-time education. In recent years, more female secondary-school students had taken higher-level mathematics examinations, and higher education institutions had committed to advancing women's careers in science, technology, engineering, mathematics and medicine.

10. Regarding the particular needs of women prisoners, a call for tender had been issued for the establishment of a step-down facility for female offenders in Dublin, to facilitate their transition from custody to the community. Plans for the modernization of Limerick Prison included the expansion of its living quarters for women and the improvement of education, vocational training and visiting facilities.

*Articles 1 to 6*

11. **Ms. Nadaraia** said that she had noted the State party's affirmation that it did not intend to alter the dualist nature of its legal order, which prevented the automatic incorporation of international law into domestic law. She had also noted its reservations with regard to articles 11, 13 and 16 of the Convention. She wondered whether the Government recognized the gaps in its ratification of international human rights treaties, whether it intended to revise the Constitution to include an explicit provision on gender equality and ensure gender-neutral language throughout, and whether a referendum would be held on the repeal of article 41 (2), which contained an outdated provision on the role of women in the home. Further information on the possibility of an amendment to article 40 (3) (3) regulating abortion would be welcome. Lastly, she asked whether there were any plans to review the statutory exemption in the Equal Status Acts 2000-2015 that precluded legal action against legislative provisions that discriminated against women.

12. **Ms. Schulz** requested clarification with regard to the time frame for the recognition of the ethnicity of Travellers and asked whether the new Traveller and Roma Inclusion Strategy would truly address the most pressing issues faced by women Travellers, especially poverty, since women Travellers often suffered multiple forms of discrimination. She wished to know whether women Travellers would be included in efforts to address any gaps in the Strategy.

13. While acknowledging the State party's efforts to come to terms with its history, she expressed concern that the information received from civil society with regard to legacy issues did not tally with that provided by the Government. She requested further information on the three independent reports on symphysiotomy. The investigation into the Mother and Baby Homes had included a sample of only 14 such homes and had been restricted in scope. She asked whether the terms of reference of the investigations would be broadened to cover all Mother and Baby Homes and to also include the Magdalen Laundries. In the cases relating to the Magdalen Laundries and symphysiotomy, there had been no proper investigations in line with international human rights standards, no criminal prosecutions and no effective remedies. She asked whether the Government intended to mandate proper, timely investigations, in line with international human rights standards, and to grant effective remedies to surviving victims.

14. **Mr. Ó Briain** (Ireland) said that while international treaties had to be broad in scope in order to be relevant to the 193 States Members of the United Nations, Irish domestic law was more specific in nature. A dualist approach would be maintained, with thorough procedures to ensure that domestic legislation was in line with international law. Equality before the law was enshrined in the Constitution, and legislation could not be adopted unless it was consistent with the Government's obligations as a State member of the European Union. Discrimination could be challenged in the domestic and European courts.

15. The national inclusion strategy for Travellers and Roma, which comprised a set of comprehensive, specific actions to address their needs, had been developed through a wide-ranging consultation process with civil society and would be finalized shortly. Measures were being taken to engage with the Traveller community to address complex issues such as Travellers in the education system and the challenges facing Traveller women. While the recognition of Travellers as an ethnic group had no legal or budgetary implications, it was extremely important symbolically as an acknowledgement of the marginalization and oppression that Travellers had faced.

16. **Mr. Hurley** (Ireland) said that the reservation to article 11 of the Convention had been made in view of the gender exemptions under Irish law in respect of the police and prison services and on the basis of privacy and decency concerns with regard to the care of older persons and persons with disabilities in their own homes. As the Government had been advised that its reservation was excessively broad, it was considering the possibility of withdrawing it. The reservation to article 13 concerned the differential treatment of men and women with regard to social security. Although the Deserted Wife's Benefit and Deserted Wife's Allowance had been closed to new applicants in 1997 and superseded by the One-Parent Family Payment, some women continued to receive those allowances as the scheme was being phased out. Under Irish law, child benefits were paid to mothers or stepmothers, rather than fathers or stepfathers. The reservation to article 13 would therefore be maintained. With regard to article 16 on guardianship of children, if a child was born out of wedlock in Ireland the mother was legally recognized as the child's guardian. The father would be recognized as a guardian only if certain cohabitation criteria were met, or with the mother's agreement. The reservation to article 16 would therefore also be maintained.

17. A referendum would be held on article 41 (2) of the Constitution, since its portrayal of women's role in the home was widely considered to be based on a stereotype that no longer correlated with reality. Further consideration was required in order to establish exactly how the article would be amended. While one suggestion had been to broaden the scope of the article to include carers, who should not be obliged by economic necessity to join the labour market, a task force of experts had recommended that the situation of carers should be addressed elsewhere in the Constitution. The question of how to update the language of the Constitution to ensure gender-inclusivity was also being considered.

Proposed revisions to both language versions of the Constitution had been drafted by a parliamentary committee for the Government's consideration.

18. **Ms. Hynes** (Ireland) said that the Commission of Investigation into Mother and Baby Homes had been fully independent. The Commission's terms of reference focused on institutions that could clearly be identified as providing accommodation for mothers and babies, including prenatal and postnatal care, board and lodgings, as well as work, training and education as a means of rehabilitating mothers and preparing them to live independently. The 14 Mother and Baby Homes that met those criteria had been investigated and the Commission had been requested to select and investigate a representative sample of county homes that provided similar services. The Commission's mandate also concerned the relationships between Mother and Baby Homes and other institutions, in particular patterns of referral and cooperation with other intermediary organizations. The Commission was free to report on other matters outside its mandate that it deemed to warrant further investigation in the public interest. The Government had stated its readiness to consider any such reports from the Commission. The Government was therefore satisfied that the Commission's terms of reference provided the requisite balance between inclusivity, specificity and focus to ensure that it could deliver effectively and in a timely manner.

19. **Ms. Prole** (Ireland) said that the ex-gratia Surgical Symphysiotomy Payment Scheme had been established following the publication of two independent reports, as a means of providing reparation to women who had undergone surgical symphysiotomy. Two independent investigations into symphysiotomy had been commissioned. The first had included a national public consultation process with women who had undergone the procedure, members of their families and other interested parties, and had concluded that surgical symphysiotomy had been used in exceptional circumstances of mild to moderate disproportion or obstructed labour, in all major hospitals in the State, irrespective of their religious affiliation. The second review had focused on the legal aspects and had concluded that court proceedings should take place and a payment scheme should be established to provide redress. A third investigation had then been commissioned to report on the implementation of the Payment Scheme. The report of that investigation contained hospital records and documented discussions among the obstetricians involved, which provided a frank and honest record of the reasons for the use of the practice. Contrary to many reports in the media, symphysiotomy did not involve cutting the pelvic bone. The practice of pubiotomy had also been included in the Scheme, but had been found to have been used in only one out of some 600 cases.

20. **Ms. Schulz** asked why it had taken more than 20 years to consider the recognition of Travellers as an ethnic group if such recognition was only of symbolic importance. Regarding the investigation into the Mother and Baby Homes, the fact that the Commission only had scope to investigate the 14 homes that provided education and rehabilitation was particularly worrying, since those homes had been the least damaging. The investigation should cover the worst cases of abuse and should look into the homes in which women had languished and children had been deprived of education, nutrition and health care, in what journalists had described as the "Irish Holocaust". She requested clarification of the Commission's ability to propose the investigation of other issues outside its mandate and, in particular, of whether or not the Government was required to approve such proposals. She expressed particular concern that the testimonies of the women who had been subjected to symphysiotomy were not in line with the medical procedures outlined in the Government-commissioned reports on the matter. It was not clear whether those reports had really brought to light the facts of the cases.

21. **Ms. Baxter** (Ireland) said that, under Irish law, Travellers were protected against discrimination.

22. **Mr. Ó Briain** (Ireland) said that the recognition of Travellers as an ethnic group would contribute greatly to the creation of a platform for engagement between Travellers and the Government. Addressing the challenges facing Travellers would indeed have legal and budgetary implications. The recognition of their ethnicity, however, was a collective issue, not a question of individual rights, and did not have any such implications.

23. **Ms. Hynes** (Ireland) said that there had been no intention to limit the scope of the investigation into the Mother and Baby Homes. The investigation did not include adoption societies or maternity hospitals, but included all homes that were categorized by the State as Mother and Baby Homes.

24. **Ms. Prole** (Ireland) said that international and Irish medical reports stated that symphysiotomy was not a prohibited procedure; it had a place in obstetrics in certain limited circumstances. At the time when the procedure was being used in Ireland, large families had been the norm and multiple caesarean sections had not been advised owing to the high risk of maternal morbidity. The women who had undergone the procedure had been involved in the investigations and all the available facts had been established. The experts conducting the investigations had placed advertisements with a view to meeting the women concerned and had remained contactable by e-mail. The Government believed that the measures taken constituted a fair and balanced approach to bring closure to those cases.

25. **Ms. Nadaraia** asked for an update on the status of the national machinery for the advancement of women, particularly in light of austerity policies that had negatively affected gender and equality budgeting. She asked how gender budgeting was being strengthened to ensure that allocations were consistent with gender mandates and activities. She would be interested to know, in light of the adoption of the new National Women's Strategy, whether the previous Strategy would be evaluated and to what extent the new Strategy would build on the lessons learned. Information on how the Strategy would address the specific needs of disadvantaged women such as Travellers, Roma and migrants would be welcome. Lastly, she asked how the State party intended to improve the collection and analysis of gender-disaggregated data in areas covered by the Convention.

26. **Ms. Nwankwo** said that she welcomed the temporary special measures taken to advance equality between men and women, in particular those focusing on access to employment and women's participation in decision-making. The emphasis on women from marginalized areas had yielded remarkable results. She asked whether those measures would be renewed. Since the 30-per-cent quota for gender balance among political candidates had improved women's representation in the lower house of parliament, she wondered why a similar quota system had not been introduced at the local level and whether the State party intended to rectify that situation. She also wished to know whether any further measures would be taken to promote women's participation, such as civic education, mentoring programmes, childcare and financial support.

27. **Ms. Baxter** (Ireland) said that while the Gender Equality Division of the Department of Justice and Equality was responsible for raising awareness of the Convention, all government bodies worked to promote gender equality, and the Department provided relevant training for staff in all departments. There was renewed commitment to gender and equality proofing and budgeting under the Programme for Partnership Government; the Human Rights and Equality Commission lent its assistance in that regard. A gender impact assessment had been included in all government decisions for many years.

28. **Mr. Ó Briain** (Ireland) said that the Human Rights and Equality Commission, like many other public bodies and civil society organizations, had suffered severe budget cuts during the financial crisis, and funding had not yet returned to pre-crisis levels. However, its budget had increased substantially over the previous two years and its request for additional funding for 2017 had been granted, which would allow it to recruit more staff. It

was hoped that funding for local women's organizations and Travellers' organizations would return to pre-crisis levels by 2018.

29. **Ms. Baxter** (Ireland) said that a committee with both government and civil-society members would review the previous National Women's Strategy and would draw on the findings in developing targets, indicators and time frames for the new Strategy. Consultations in that regard had been held nationwide, with the active participation of Traveller and migrant women and women with disabilities. The Strategy would boost women's leadership in a range of fields, including politics, sports and business. The Equality for Women Measure 2008-2013 had been replaced with a similar measure, and funding was available for women entrepreneurs in many sectors, including agriculture.

30. **Mr. O'Leary** (Ireland) said that a review of the higher education system had resulted in a series of recommendations. The Higher Education Authority had developed a plan to implement those recommendations, and progress in that regard included the introduction of the Athena Scientific Women's Academic Network (SWAN) Charter, which related to women's advancement. From 2019 onward, higher education institutions would need to be accredited under that Charter in order to receive research funding from Science Foundation Ireland, the Irish Research Council and the Health Research Board.

31. **Mr. Hurley** (Ireland) said that while women dominated the junior levels of the civil service, they were in the minority at the senior level. Although fewer women than men applied for senior positions, they enjoyed a better success rate. Research into the reasons behind those trends was being conducted by the Economic and Social Research Institute. The "Women and Men in Ireland" report was due to be published later in 2017.

32. **Ms. Rana** asked what specific steps had been taken to enable non-statutory agencies to access and use data on domestic and sexual violence, given that they worked in closest contact with victims.

33. **Mr. Heylin** (Ireland) said that the police had improved its recording of domestic violence and sex crimes. Data gathering was addressed in the Second National Strategy on Domestic, Sexual and Gender-based Violence, which also provided for a Data Committee and a parallel NGO committee that would engage with State bodies to improve data collection.

34. **Mr. Ó Briain** (Ireland) said that a data-collection methodology was being developed as part of the new National Traveller and Roma Inclusion Strategy. If successful, it could be extended to other groups.

35. **Ms. Halperin-Kaddari** asked what steps had been taken to amend article 41 (2) of the Constitution and to eradicate non-consensual medical interventions used to assign a sex to intersex children. Although the State party's efforts to combat female genital mutilation were commendable, services for victims were provided by only one clinic, located in Dublin, and that situation limited access by girls from asylum-seeking communities, for example. She wished to know whether the national action plan on female genital mutilation that had been drafted by a group of NGOs would be adopted.

36. The apparent lack of understanding of the nature of domestic violence on the part of many State officials, illustrated by one housing officer's remarks that women fleeing domestic violence should not be given priority in housing allocations, indicated a need for improved education and data gathering. Domestic violence must be made a specific crime if the State party wished to ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). She asked whether the domestic violence bill addressed psychological, emotional and economic abuse; whether it removed the cohabitation requirement for safety orders; and whether the Government had implemented the Law Reform Commission's recommendation that

legislation on harassment and the offence of sending threatening and intimidating messages should be extended to the online sphere.

37. **Ms. Nwankwo** asked whether the implementation of the first National Action Plan to Prevent and Combat Trafficking in Human Beings in Ireland 2009-2012 had been evaluated, what the results of any such evaluation had been and whether the challenges encountered in its implementation had been addressed in the new national action plan. After quoting the findings of the 2016 *Trafficking in Persons Report* produced by the Department of State of the United States of America, she asked to what extent the recommendations made in that report had been implemented; how adequate assistance and protection were provided to all victims of trafficking, including the number of State-run shelters, measures to improve the Government's cooperation with NGOs and funding for NGOs providing shelter and services for victims; and whether those measures applied to all victims regardless of nationality and immigration status. She also wished to know whether service providers and other agencies would be involved in victim identification, and what steps had been taken to ensure that migration and asylum policies did not deter women and girls fleeing conflict from seeking asylum lawfully, which would decrease their vulnerability to trafficking and exploitation.

38. **The Chair**, speaking in her capacity as an expert, asked whether research had been carried out on how the Criminal Law (Sexual Offences) Bill, which would criminalize the purchase of sex, would affect sex workers and other groups. What was the prevailing mood in society with regard to that subject? She would welcome clarification of the delegation's comments that the new law would protect victims of sexual violence in criminal proceedings, and she requested information on the financial resources allocated for its implementation. Financial resources should also be granted to programmes that assisted sex workers who wished to leave prostitution.

39. **Ms. Baxter** (Ireland) said that although the Government was committed to removing article 41 (2) from the Constitution, amendments required a national referendum. Asylum seekers could obtain services, including the female genital mutilation clinic, on the same footing as all other women. It was possible that the country's ongoing housing crisis had fuelled the remarks made by the housing official cited by Ms. Halperin-Kaddari.

40. **Mr. Hurley** (Ireland) said that although efforts were made in schools to combat gender stereotypes, ingrained attitudes took time to change and could not be altered immediately through legal measures. There was evidence to suggest that the process of change was already under way. Article 41 (2) of the Constitution had had very little juridical impact in practice, but the Government was nonetheless committed to amending it.

41. **Mr.** Kieran **Smyth** (Ireland) said that the two or three children born with ambiguous genitalia in Ireland each year were normally referred to a children's hospital, where a team of specialists assessed the causes of the ambiguity before deciding on the action to be taken, in line with the best interests of the child and in consultation with the parents, who were advised on the possible risks and benefits. Consent was addressed in accordance with the hospital's protocols. Only medically necessary treatment was carried out, and only when it was unanimously agreed upon by the consultants and parents.

42. The Health Service Executive funded the female genital mutilation clinic, which offered free specialized medical care to victims, including migrants. The Executive had developed recommendations for health professionals caring for victims, and maternity records now recorded whether patients had undergone the practice, thus allowing appropriate care and support to be provided. Female genital mutilation would also be addressed by the National Intercultural Health Strategy.

43. **Mr. Heylin** (Ireland) said that women fleeing domestic violence had always been able to access emergency accommodation, even if they owned property, and the law had

recently been clarified to that effect. Guidelines on housing for victims of domestic violence had been issued in January 2017, and the housing authority planned to engage with local authorities to explain them and ensure their implementation. The Second National Strategy on Domestic, Sexual and Gender-based Violence provided for training on domestic and gender-based violence for State officials, particularly those working in the criminal justice system. In addition to the recording of incidents of domestic violence and sex crimes, statistics on the overall prevalence of domestic and sexual violence were also compiled.

44. While there was no ideological objection to the creation of a specific crime of domestic violence, there were serious legal and practical impediments. For example, it would be impossible to create a definition that encompassed all possible forms of domestic violence, and criminal prosecution could become extremely difficult if all elements of the crime must be proved. Similarly, the very specific nature of what constituted psychological abuse in a particular relationship meant that such abuse was difficult to criminalize.

45. Although protection and safety orders for non-cohabiting couples were not currently provided for in the domestic violence bill, an amendment to that effect was planned. The bill would clarify that the courts' existing power to prohibit offenders from communicating with their victims extended to online and electronic communication. A recent Law Reform Commission report on online harassment contained recommendations for a range of government departments, which were under consideration.

46. **Mr.** Bobby **Smyth** (Ireland) said that the measures taken under the National Action Plan to Prevent and Combat Trafficking in Human Beings in Ireland 2009-2012 had continued since its expiry, and the Plan had been comprehensively reviewed in order to guide the consultation process for the Second National Action Plan to Prevent and Combat Human Trafficking in Ireland. The Second Plan had also been informed by the evaluations of the situation in Ireland carried out by the Council of Europe Group of Experts on Action against Trafficking in Human Beings and the Department of State of the United States of America.

47. The Department of State report had prompted the Anti-Human Trafficking Unit to participate in the European Union-sponsored Hestia project that examined the connection between sham marriages and human trafficking. The project had concluded that there were high numbers of women, particularly from Eastern Europe, who came to Ireland to marry men from outside the European Economic Area in order to circumvent immigration law. Exploitative and violent behaviour had been detected in a minority of those cases, and trafficking had been an aspect of one case.

48. While the Department of State report cited an increase in trafficking for labour exploitation in Ireland, the number of such cases was small and the increase represented only a few additional cases each year. The lack of successful prosecutions for labour exploitation in recent years was a cause for concern, and evaluators from the Council of Europe and the Department of State had recommended that the focus of investigations should shift from the victims to the perpetrators. That recommendation had been implemented, and three cases of labour exploitation had come before the courts in the previous six weeks.

49. As trafficking victims were housed in the same accommodation as asylum seekers, they benefited from those facilities' good geographic distribution and the services that they offered. However, alternative options were being examined under the Second National Action Plan to Prevent and Combat Human Trafficking in Ireland. Funding for NGOs working in the area of trafficking was close to pre-crisis levels, and consideration would be given to the funding of programmes that helped sex workers to leave prostitution.

50. **Mr. Ó Briain** (Ireland) said that article 41 (2) of the Constitution, which dated from 1937, had not hindered the implementation of measures to maximize women's participation in the labour force. There was widespread public support for gender equality, and care would be taken to ensure that the wording of the question posed in the referendum on the article would lead to the desired outcome.

51. The intention of the Criminal Law (Sexual Offences) Bill was to protect vulnerable persons, including trafficked minors. Unlike existing legal provisions, which focused on the public nuisances associated with prostitution, the Bill specifically targeted demand for prostitution and had been guided by advice from the Council of Europe and the European Parliament. Evidence from Sweden and Norway, which had adopted similar measures, indicated that they had become less attractive destinations for prostitution-based trafficking. The Bill would also help to change attitudes towards gender equality. Measures to help those seeking to leave prostitution did not need to be enshrined in legislation, and funding for them was already provided, for example through the State's funding of Ruhama, an NGO.

52. **Ms. Baxter** (Ireland) said that the Bill was the result of the active engagement of civil society in addressing trafficking and prostitution. Other examples included the Turn Off the Red Light campaign, which had shaped public discourse and prompted legislative change.

53. **Ms. Halperin-Kaddari** said that although there were no formal barriers preventing victims of female genital mutilation from gaining access to the specialized clinic, those living in remote areas might lack the financial resources to travel there; she wondered whether there were any plans to provide assistance in that regard. She asked whether the Government would consider removing the requirement for victims to pay a fee for legal aid in cases of domestic violence.

54. **Ms. Schulz** said that the Criminal Law (Sexual Offences) Bill risked conflating trafficking and prostitution. Although the Bill provided for the decriminalization of street prostitution, indoor prostitution remained a crime, and there were reports that 9 per cent of persons arrested for brothel-keeping were sex workers. She asked whether that was the intent behind the Bill and how those who wished to leave prostitution could do so, given that the Bill's harsher penalties could potentially burden them with high levels of debt and a criminal record. She wished to know how the law would be implemented and monitored, how soon it would be reviewed and whether that review would focus on its impact on sex workers' human rights.

55. **Ms. Baxter** (Ireland) said that the Legal Aid Board allocated much of its funding to female victims of domestic violence and routinely waived the legal aid contribution in such cases.

56. **Mr. Ó Briain** (Ireland) said that asylum seekers could obtain funding for travel, including to the female genital mutilation clinic. The review of the Criminal Law (Sexual Offences) Bill would be published three years after enactment and was specifically intended to examine the law's impact on sex workers' human rights, although no such impact was anticipated. Brothel-keeping remained a crime because it was often impossible to establish whether sex workers were working in a brothel voluntarily.

57. **Mr. Heylin** (Ireland) said that the Legal Aid Board could waive or reduce the legal aid contribution if a failure to do so would cause undue hardship, and the guidelines for such decisions provided for a sympathetic approach in cases of domestic violence. In practice, the Board received contributions from very few victims of domestic violence. Cognizant that victims of domestic violence should not be required to pay to request protection measures, the Board was considering whether to propose a review of the financial eligibility criteria for legal aid.

58. **Mr.** Bobby **Smyth** (Ireland) said that the threshold for identifying victims of trafficking was very low, and while the police acted as the gateway for victim services, they cooperated with NGOs in victim identification. If potential victims were reluctant to engage with law enforcement, the police based their assessment on information from NGOs. The identification procedure was being examined in order to formalize the role of NGOs. Once victims had been identified, they benefited from a range of services, including psychological support, legal services and vocational training. Those services were provided primarily by a dedicated anti-trafficking team, supported by NGOs and other State bodies. Trafficking was taken into consideration in the review of asylum applications, and officials dealing with asylum seekers were well trained in identifying potential victims.

*Articles 7 to 9*

59. **Ms. Nwankwo** said that while the State party's progress in terms of women's participation in some sectors, particularly the judiciary, was commendable, more progress was required in others, including the high courts, the lower house of parliament, ministerial positions, the Permanent Defence Forces and local government. The requirement of at least 40-per-cent representation of each sex on all State boards was largely ignored, and there were no penalties for boards that missed the target. Nevertheless, women had represented more than 40 per cent of those appointed to State boards in recent years, a welcome achievement.

60. She asked whether gender quotas for candidates would be introduced for local elections; what specific steps had been taken to increase and diversify women's participation in decision-making roles on State boards, the boards of publicly listed private companies and at the senior level in the public and private sectors; and how women's participation in conflict prevention, management and resolution in the context of the Northern Ireland peace process was promoted. She wished to know the status of the national strategy that was being developed to promote the participation of Traveller and Roma women in political and public life, what measures were in place to improve their participation in decision-making and whether training and mentoring initiatives existed to address the low participation of minority women.

61. Lastly, she asked what percentage of ambassadors, other international representatives and foreign service staff were women and at what level of the service they were employed, and whether there were any programmes that encouraged women to enter the foreign service and the international civil service.

62. **Ms. Baxter** (Ireland) said that the migrant integration strategy promoted the participation of migrant men and women in political life. The Government was engaging with political parties to encourage migrants to stand as candidates and to vote.

63. **Mr. Hurley** (Ireland) said that action was required to address women's participation in areas where progress had been poor. Although quotas did not apply to local elections, it was hoped that the quotas at the national level would serve as an incentive for parties to encourage women's participation at the local level. Some NGOs provided coaching for women who wished to run for political office, with the involvement of senior political figures, and a cross-party women's caucus had been established in the legislature.

64. Women's participation in State boards had increased to almost 40 per cent since the State party's last interactive dialogue with the Committee. That improvement had resulted from the formalization of the appointment process, including the establishment of a website, www.stateboards.ie, through which candidates could express their interest in vacancies.

*The meeting rose at 1 p.m.*